

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

DAVID LORENZA JOYNER, #1230707

v.

NATHANIEL QUARTERMAN,
DIRECTOR TDCJ-CID

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CIVIL ACTION NO. G-06-366

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on January 29, 2007. Petitioner has filed his Objections in a timely manner.


Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that Petitioner's Objections are without merit and that the Report and Recommendation is correct and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is **ORDERED** that Petitioner's Request for An Evidentiary Hearing, Petitioner's "Motion for Leave to File Motion to Take Depositions," Petitioner's Request for Sanctions Against Respondent's Attorney (Instrument Nos. 45 and 46) and Petitioner's Request for Continuance to Oppose Respondent's Motion for Summary Judgment (Instrument No. 46) are **DENIED**. Additionally, all other pending motions and requests for relief, to include his motion to amend his habeas petition, are **DENIED**.

It is further **ORDERED** that Petitioner's Motion for Judgment on the Pleadings (Instrument No. 22) and Petitioner's Partial Motion for Summary Judgment (Instrument No. 28) are **DENIED**;

Respondent's Motion for Summary Judgment (Instrument No. 44) is **GRANTED**; and that the Petition for a Writ of Habeas Corpus of David Lorenza Joyner (Instrument No. 1) is **DISMISSED** with prejudice.

DONE at Galveston, Texas this 8th day of March, 2007.



Samuel B. Kent
United States District Judge